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In re Patent Application: Robert NEWSTEDER	Art Unit: 2163
Serial Number: 09/989,202	Examiner: Uyen T. LE
Filed: November 21, 2001	Confirmation No: 9308
Title: DIRECTORY INFORMATION SYSTEM FOR PROVIDING TOLL-FREE NUMBERS	
Attorney Docket: 103177-41819-US	
Customer No: 26345	

Mail Stop: No Fee Response
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION UNDER 37 CFR § 1.131

The undersigned, Robert J. Hess, declare that:

1. I am an attorney of record for US Serial No. 09/989,202 and have access to the corresponding patent application file folder kept at the offices of Gibbons, Del Deo, Dolan, Griffinger & Vecchione and to the associated electronic computer records that indicate creation and completion dates of documents that accompanied the patent application filing.

2. Enclosed are true and accurate copies of letter correspondence dated November 15, 2001 and November 20, 2001 from the contents of the file folder corresponding to the present application that are maintained at the offices of Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C. Also enclosed is a true copy of a completed express mail label date stamped on November 19, 2001 that was likewise in the file folder and which contained the patent application.

3. Upon inspection of the file folder, it is reasonable to surmise the following events occurred:

(a) November 15, 2001: The inventor is faxed the patent application that was ultimately filed together with papers for the inventor to sign (e.g., Declaration). The inventor signs the papers the same day as indicated by the date on the declaration of record and mails them back to the attorney with the proposed patent application as instructed.

(b) November 16, 2001: The signed application papers are likely in transit from the inventor via the US Postal Service for delivery to the attorney's office that is to prosecute the patent application. Based upon computer records that the undersigned reviewed that are maintained at the offices of Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C., an information disclosure statement and transmittal forms are originated and saved this day in preparation for filing with the present application. The Capra et al. article publishes this day during a presentation given in Orlando, Florida at an ACM Conference (see website downloads indicating the Capra et al. publication date).

PAGE 8/24 * RCVD AT 5/31/2005 10:31:04 AM [Eastern Daylight Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID: * DURATION (mm-ss):06-36

(c) November 17-18, 2001: Weekend days. The attorney's office is closed. The signed application papers likely continue to be in transit from the inventor for delivery via the US Postal Service.

(d) November 19, 2001: It was the usual practice of attorneys in the law office handling the prosecution of the present application to execute transmittals that accompany a patent application only after receiving and reviewing executed papers (e.g., the declaration) from the inventor. The transmittals that ultimately accompany the filing of the patent application are executed this day by the attorney responsible for handling the filing of the patent application. Thus, one may surmise that the executed patent application papers from the inventors arrived in the attorneys' office. According to the computer records reviewed by the undersigned that are maintained at the offices of Gibbons, Del Deo, Dolan, Griffinger & Vecchione, P.C., the Information Disclosure Statement form PTO-1449 is completed this day. Also, there was an attempt to mail the application to the US Patent and Trademark Office via express mail, but such delivery was refused by the US Postal Service even though it had the proper postage and was properly addressed to the USPTO at the authorized 20231 zip code. However, the US Postal Service suspended express mail delivery service to the 20231 zip code that day. The express mail package was

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subsequently opened by the offices of the attorney who was prosecuting the patent application and its contents were filed through hand delivery instead. Ordinarily, a date stamped express mail label is sufficient to establish a patent application filing date of November 19, 2001.

(e) November 20, 2001: The correspondence dated this day is addressed to a law firm in Crystal City, Virginia and is sent via Federal Express, together with the patent application and signed papers and contains instructions to effect filing via hand delivery with the US Patent and Trademark Office.

(f) November 21, 2001: The patent application and signed papers are filed with the US Patent and Trademark Office via hand delivery. The patent application is accorded a filing date of this day.

4. The above activities show an earlier conception of the invention (at least on November 15, 2001) before the publication of the Capra article on November 16, 2001 and show due diligence each day, without interruption, as indicated previously in trying to file the patent application from November 15, 2001 through November 21, 2001. Under normal express mail delivery, a date stamped express mail label would be sufficient evidence according to USPTO rules then in effect for establishing a filing date for the patent application as early as November 19, 2001. Nevertheless, once such express mail delivery was refused due to suspension in deliveries, due diligence was

maintained by forwarding the patent application the next day for filing by hand delivery to the USPTO.

5. Based on the aforementioned activities, the Capra et al. article should be disqualified from being treated as prior art to the present application.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: May 31, 2005

Robert J. Hess

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LAWRENCE E. RUSS

OF COUNSEL

NATHANIEL D. KRAMER

November 20, 2001

BY FEDERAL EXPRESS
Mr. Terry Kramer
DIGIPAT
2001 Jefferson Davis Highway - Suite 1111
Arlington, VA 22202

Re: New Utility Patent Application
DIRECTORY INFORMATION SYSTEM FOR PROVIDING TOLL FREE TELEPHONE NUMBERS
Our Ref.: AID-3.2.01/4203

Dear Terry:

Enclosed is the above-referenced new utility patent application. Please Hand Deliver it for filing at the United States Patent Office.

Please fill in the Certificate of Hand Delivery and be certain that the Application as well as our Acknowledgment Postcard are stamped with the date of filing and the Serial Number assigned. Your assistance will be appreciated.

Very truly yours,

Peter T. Cobrin

PTC:gs
Enclosures

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OREN J. WARSHAVSKY
CLYDE A. SHUMAN
LAWRENCE R. RUSS

OF COUNSEL

NATHANIEL D. KRAMER

November 15, 2001

BY FACSIMILE

Mr. Robert Newsteder
American Internet Development
225 Meachem Avenue
Elmont, NY 11033

Re: Patent Application entitled: **DIRECTORY INFORMATION SYSTEM FOR PROVIDING TOLL FREE TELEPHONE NUMBERS**
Our File No.: AID-3.2.001/4203

Dear Bob:

Attached is the proposed patent application for the above-identified invention. Please review and, if it is satisfactory, please sign and date the declaration and assignment (the assignment need not be notarized). Please then return the entire application to us with signed papers and we will file. If you have any changes, do not sign but call me.

If you have any questions, please give me a call.

I enclose our debit memo for your kind attention.

Regards.

Very truly yours,

Peter T. Cobrin

PTC:gs
Encs:

C:\Appn\WPDATA\AIDM\058\ann ncltr111501.wpd

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ACM International Conference Proceeding Series archive
Proceedings of the 2001 workshop on Perceptive user interfaces
2001, Orlando, Florida *November 15 - 16, 2001*
Additional Information: full citation

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Signal level fusion for multimodal perceptual user interface
John W. Fisher, Trevor Darrell
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A visual modality for the augmentation of paper
David R. McGee, Misha Pavel, Adriana Adami, Guoping Wang, Philip R. Cohen
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A perceptual user interface for recognizing head gesture acknowledgements
James W. Davis, Serge Vaks
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Bare-hand human-computer interaction
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Gary Bradski, Victor Eruhimov, Sergey Molinov, Valery Mosyagin, Vadim Pisarevsky
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A bibtex database of all PUI2001 papers

A full text index created by Adobe Acrobat Catalog is available for all the papers. To access this index from Acrobat Reader type Ctrl+Shift+X and add the index PUI-2001-Index.pdx. Once the index has been added you can search from Acrobat Reader using Ctrl+Shift+F.

9:00-10:00 **Keynote Speaker Melody Moore, Brain-Computer Interfaces**

10:00-10:30 Coffee Break

A Visual Modality for the Augmentation of Paper
David McGee, Misha Pavel, Adriana Adami, Guoping Wang & Phil Cohen
Pacific Northwest National Laboratory
Oregon Health and Sciences University

Experimental Evaluation of Vision and Speech based Multimodal Interfaces
Emilio Schapira & Rajeev Sharma
Computer Science and Engineering Department, The Pennsylvania State University

Signal Level Fusion for Multimodal Perceptual User Interface
John Fisher & Trevor Darrell
MIT Artificial Intelligence Laboratory

Human-Robot Interface Based on Mutual Assistance between Speech and Vision
Mitsutoshi Yoshizaki, Yoshinori Kuno & Akio Nakamura
Saitama University

12:00-1:30 Lunch

1:30-3:00 **Panel Session:**
Panel on Augmented Cognition
Organizers: Dylan Schmorrow & Jim Patrey
Panellsts- Mike Zyda, Denny Proffitt, Phil Cohen & Pete Hancock
DARPA-ITO
USAFA
Oregon Graduate Institute
University of Virginia
Naval Postgraduate School
University of Central Florida

3:00-4:30 **Posters & Demos:**
Sketch Based Interfaces: Early Processing for Sketch Understanding
Tevfik Metin Sezgin, Thomas Stahovich & Randall Davis
MIT AI Laboratory
CMU Department of Mechanical Engineering

Speech Driven Facial Animation
Praveen Kakumanu, Ricardo Gutierrez-Osuna, Anna Esposito, Robert Bryll, Ardeshir Goshtasby & Oscar N. Garcia
Department of Computer Science and Engineering, Wright State University

Using Eye Movements to Determine Referents in a Spoken Dialogue System
Ellen Campana, Jason Baldridge, John Dowding, Beth Ann Hockey, Roger Remington & Leland Stone
Department of Brain and Cognitive Sciences, University of Rochester
ICCS, Division of Informatics, University of Edinburgh
Research Institute for Advanced Computer Science, NASA Ames Research Center
Human Factors Research and Technology Division NASA Ames Research

An Automatic Sign Recognition and Translation System
Jie Yang, Jiang Gao, Ying Zhang, Xilin Chen & Alex Waibel
Interactive Systems Laboratory, Carnegie Mellon University

An Experimental Multilingual Speech Translation System
Kenji Matsui, Yumi Wakita, Tomohiro Konuma, Kenji Mizutani, Mitsuru Endo & Masashi Murata
Advanced Research Labs. , Matsushita Electric Ind. Co., Ltd.
Matsushita Research Institute Tokyo, Inc.
Department of Information and Communication Engineering, Osaka City University

A Multimodal Presentation Planner for a Home Entertainment Environment
Christian Elting & Georg Michelitsch
European Media Laboratory GmbH
Sony International (Europe) GmbH

Multimodal optimizations: Can legacy systems defeat them?
John Harper & Donal Sweeny
Department of Computer Science, National University of Ireland

Using Multimodal Interaction to Navigate in Arbitrary Virtual VRML Worlds
Frank Althoff, Gregor McGlaun & Manfred Lang
Institute for Human-Machine-Communication, Technical University of Munich

The Bayes Point Machine for Computer-User Frustration Detection via PressureMouse
Yuan Qi, Carson Reynolds & Rosalind Picard
MIT Media Lab

Physiological Data Feedback For Application in Distance Education
Martha Crosby, Brent Auernheimer, Christoph Aschwanden & Curtis Ikehara
Information and Computer Science, University of Hawaii, Manoa
Computer Science, California State University, Fresno

4:30-5:45 **Paper Session #2:**

Naturally Conveyed Explanations of Device Behavior
Michael Oltmans & Randall Davis
MIT Artificial Intelligence Lab

Towards Reliable Multimodal Sensing in Aware Environments
Scott Stillman & Irfan Essa
GVU Center, Georgia Institute of Technology
Video Example (mpg)

Audio-Video Array Source Separation for Perceptual User Interfaces

Kevin Wilson, David Demirdjian, Neal Checka & Trevor Darrell
MIT Artificial Intelligence Lab

Visually Prototyping Perceptual User Interfaces through Multimodal Storyboarding
Anoop Sinha & James Landay
Group for User Interface Research University of California, Berkeley

Friday, November 16

9:00-10:00 **Keynote Speaker Robin Murphy, Human-Robot Interaction**

10:00-10:30 Coffee Break

10:30-12:30 **Paper Session #3:**

A Robust Algorithm for Reading Detection
Christopher Campbell & Paul Maglio
IBM Almaden Research Center

A Perceptual User Interface for Recognizing Head Gesture Acknowledgements
James Davis & Serge Vaks
Dept. Comp. and Info. Sci., Center for Cog. Sci. Ohio State University

Estimating Focus of Attention based on Gaze and Sound
Rainer Stiefelhagen, Jie Yang & Alex Waibel
Interactive Systems Laboratories University of Karlsruhe
Interactive Systems Laboratories Carnegie Mellon University

A Pneumatic Tactile Alerting System for the Driving Environment
Mario Enriquez, Oleg Afonin, Brent Yager & Karon Maclean
Computer Science University of British Columbia

Perception and Haptics: Towards More Accessible Computers for Motion-Impaired Users
Faustina Hwang, Simeon Keates, Patrick Langdon, P. John Clarkson & Peter Robinson
University of Cambridge, Dept. of Engineering
University of Cambridge, Computer Laboratory

12:30-2:00 Lunch

2:00-3:30 **Posters & Demos:**

A Real-Time Head Nod and Shake Detector
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Affective Computing, MIT Media Lab
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"Those Look Similar!" Issues in Automating Gesture Design Advice
Chris Long, James Landay & Lawrence Rowe
Human Computer Interaction Institute, Carnegie Mellon University
EECS Department, University of California at Berkeley

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Rick Kjeldsen & Jacob Hartman
IBM T.J. Watson Research Center

Hand Tracking for Human-Computer Interaction with Graylevel VisualGlove: Turning Back to the Simple Way
Giancarlo Iannizzotto, Massimo Villari & Lorenzo Vita
Department of Mathematics, University of Messina
DIIT, University of Catania

Bare-Hand Human-Computer Interaction
Christian von Hardenberg & François Bérard
Institut f?ktronik Technische Universit□ Berlin
CLIPS-IMAG France
Video Example (mpg)

User and Social Interfaces by Observing Human Faces for Intelligent Wheelchairs
Yoshinori Kuno, Yoshifumi Murakami & Nobutaka Shimada
Saitama University; Osaka University

First Steps Towards Automatic Recognition of Spontaneous Facial Action Units
Bjorn Braathen, Marian Bartlett, Gwen Littlewort, & Javier Movellan
Institute for Neural Computation, University of California San Diego

Robust Finger Tracking for Wearable Computer Interfacing
Sylvia Dominguez, Trish Keaton & Ali Sayed
Electrical Engineering Dept., UCLA
HRL Laboratories, LLC
Video Example (avi)

WebContext: Remote Access to Shared Context
Robert Capra, Manuel Perez-Quinones & Naren Ramakrishnan
Department of Computer Science, Virginia Tech
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A Video Joystick from a Toy
Gary Bradski, Victor Eruhimov, Sergey Molinov, Valery Mosyagin & Vadim Pisarevsky
Intel Corporation Microprocessor Research Labs
Video Example (avi)

Privacy Protection by Concealing Persons in Circumstantial Video Image
Surlyon Tansuriyavong & Shin-ichi Hanaki
Electrical Engineering, Nagaoka University of Technology

3:30-4:30 **Paper Session #4:**
Visual Panel: Virtual Mouse Keyboard and 3D Controller with an Ordinary Piece of Paper
Zhengyou Zhang, Ying Wu, Ying Shan & Steven Shafer
Microsoft Research
University of Illinois

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Video Example (avi)

Recognizing Movements from the Ground Reaction Force

Robert Headon & Rupert Curwen
Laboratory for Communications Engineering, Cambridge University Engineering Department
AT&T Laboratories, Cambridge

The Infocockpit: Providing Location and Place to Aid Human Memory

Desney Tan, Jeanine Stefanucci, Dennis Proffitt & Randy Pausch
School of Computer Science, Carnegie Mellon University
Department of Psychology, University of Virginia

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